

AN ORDINANCE

BY CONCILMEMBER FELICIA A. MOORE

C4-0-0252

AS AMENDED BY COMMITTEE ON COUNCIL

**CORRECTING ORDINANCE 03-O-1700 WHICH  
CREATED A TRUST FUND ACCOUNT FOR DEPOSITS  
OF SIDEWALK WAIVER FUNDS WHEN DEVELOPERS  
DO NOT WANT TO CONSTRUCT SIDEWALKS ON  
THEIR DEVELOPMENTS BY DELETING THE OLD  
FUND, ACCOUNT AND CENTER AND REPLACING IT  
WITH THE APPROPRIATE ONE; AND FOR OTHER  
PURPOSES.**

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
ATLANTA, GEORGIA as follows:**

**SECTION 1** That Section 1 of 03-O-1700 currently reads as follows:

**SECTION 1:** The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks is hereby waived for subdivisions SD-03-22, SD-03-33, SD-03-37, SD-03-38, SD-03-39, SD-03-43, and SD-03-44.

The legislation is amended to read as follows

**SECTION 1:** The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks is hereby waived for subdivisions **SD-03-32**, SD-03-33, SD-03-37, SD-03-38, SD-03-39, SD-03-43, and SD-03-44.

**SECTION 2** That Section 3 of 03-O-1700 currently reads as follows:

**SECTION 3:** That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in Trust Fund Account 3P02 4492403 Y63T1200QN0, to be used for pedestrian improvements and sidewalk construction in Council District 9.

The legislation is amended to read as follows

**SECTION 3:** That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in Trust Fund Account **3P02 424101 Y63T19019999**, to be used for pedestrian improvements and sidewalk construction only in Council District 9.

**SECTION 3** That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by Council  
APPROVED by the Mayor

FEB 16, 2004  
FEB 24, 2004



CITY COUNCIL  
ATLANTA, GEORGIA

03-O-1700

AN ORDINANCE BY  
COUNCILMEMBER FELICIA A. MOORE

AS AMENDED BY CITY UTILITIES COMMITTEE

**AN ORDINANCE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROVIDE THAT CERTAIN SUBDIVISION APPLICATIONS DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 9, AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to the application for the subdivision of land submitted by several developers, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

**WHEREAS**, the construction of sidewalks along the frontage of these subdivisions would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

**WHEREAS**, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivisions with in District 9.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

Section 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks is hereby waived for subdivisions SD-03-22, SD-03-33, SD-03-37, SD-03-38, SD-03-39, SD-03-43, and SD-03-44.

Section 2: That the waiver of said requirements for the aforementioned applications are conditioned upon the agreement of the applicants to pay the City of Atlanta a dollar amount equal to the value of construction of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of Department of Public Works.

Section 3: That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in trust fund account 3P02 492403 Y63T1200QNA0, to be used for pedestrian improvements and sidewalk construction in Council District 9.

Section 4: That all other requirements of the Code of Ordinance for the subdivisions sited above shall remain in full force and effect.



Section 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

*Phonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 03, 2003  
NOV 10, 2003

RCS# 5453  
2/16/04  
7:43 PM

Atlanta City Council

Regular Session

04-O-0252

CORRECTING 03-O-1700 DELETING OLD AND  
REPLACING WITH NEW FUND, ACC, CNTR NUMBER  
ADOPTED

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

04-O-0252

#24

04-0-0252

(Do Not Write Above This Line)

BY CONCLIMEMBER FELICIA A. MOORE

CORRECTING ORDINANCE 03-O-1700 WHICH  
CREATED A TRUST FUND ACCOUNT FOR  
DEPOSITS OF SIDEWALK WAIVER FUNDS WHEN  
DEVELOPERS DO NOT WANT TO CONSTRUCT  
SIDEWALKS ON THEIR DEVELOPMENTS BY  
DELETING THE OLD FUND, ACCOUNT AND  
CENTER AND REPLACING IT WITH THE  
APPROPRIATE ONE; AND FOR OTHER  
PURPOSES.

ADOPTED BY

FEB 16 2004

COUNCIL

*As Amended*

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 02/02/04

Referred To: Council

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee

Date 2-11-04

Chair V-Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*John W. Starns*  
*Blair Mueller*  
*Elizabeth C. Smith*  
*Robert J. Smith*  
*Robert J. Smith*

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☐ Consent
- ☐ V Vote
- ☒ RC Vote

CERTIFIED

FEB 16 2004

CERTIFIED  
FEB 16 2004

*Ronald Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

FEB 24 2004

MAYOR